

ORDINANCE NO. 20050609-Z006

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10 NORTH IH-35 SERVICE ROAD SOUTHBOUND IN THE RAINEY STREET SUBDISTRICT OF THE WATERFRONT OVERLAY COMBINING DISTRICT, FROM DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT TO CENTRAL BUSINESS DISTRICT (CBD) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from downtown mixed use-conditional overlay (DMU-CO) combining district to central business district (CBD) district on the property described in Zoning Case No. C14-05-0067, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.358 acre tract of land, more or less, consisting of two parcels of land identified as:

Tract One: A 13,629 square foot tract of land, more or less, out of Outlot 71, Division O of the Government Outlots, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: A 1,971 square foot tract of land, more or less, being a portion of that certain vacated Waterfront Street, a street in the R.C. Lambie Subdivision, Original City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 10 North IH-35 Service Road Southbound, in the Rainey Street subdistrict of the waterfront overlay combining district in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".


PART 2. The Property may be developed and used in accordance with the regulations established for the central business district (CBD) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on June 20, 2005.

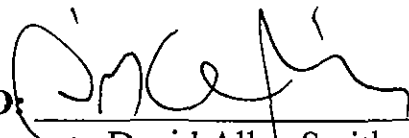
PASSED AND APPROVED

June 9, 2005

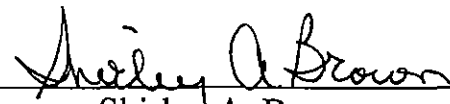
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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk

FIELD NOTES
FOR

EXHIBIT A.

13,629 SQUARE FEET - TRACT 1

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF OUTLOT 71, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING A PORTION THAT CERTAIN TRACT OF LAND DESCRIBED IN VOLUME 1289, PAGE 278 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found at the Northwest corner of said tract described in Volume 1289, Page 278, being in the South r.o.w. line of vacated Waterfront Street, a street in the City of Austin, Travis County, Texas, vacated by instrument recorded in Volume 3092, Page 1181 of the Deed Records of Travis County, Texas, for the Northwest corner and PLACE OF BEGINNING hereof;

THENCE along the North line of said tract described in Volume 1289, Page 278, being along the South r.o.w. line of vacated Waterfront Street, S 66°51'07" E for a distance of 105.09 feet to a 1/2 inch iron pin found in the West r.o.w. line of Interstate Highway No. 35, for the Northeast corner hereof;

THENCE along the West r.o.w. line of Interstate Highway No. 35, S 09°23'10" E for a distance of 118.14 feet to a 1/2 inch iron pin found in the South line of said tract described in Volume 1289, Page 278, for the Southeast corner hereof;

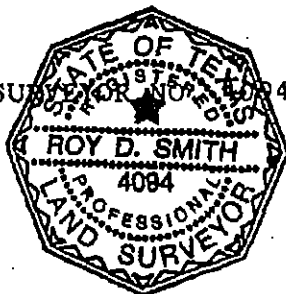
THENCE along the South line of said tract described in Volume 1289, Page 278, N 66°59'15" W for a distance of 167.90 feet to a 1/2 inch iron pin found at the Southwest corner of said tract, for the Southwest corner hereof;

THENCE along the West line of said tract described in Volume 1289, Page 278, N 22°44'00" E for a distance of 100.00 feet to the PLACE OF BEGINNING and containing 13,629 square feet of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
July 21, 1999

Job No. 2262



FIELD NOTES
FOR

EXHIBIT B

1971 SQUARE FEET - TRACT 2

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF THAT CERTAIN VACATED WATERFRONT STREET, A STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON PLAT OF R.C. LAMBIE SUBDIVISION IN TRAVIS COUNTY, TEXAS, AS RECORDED IN Book 3, PAGE 85 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID STREET HAVING BEEN VACATED BY INSTRUMENT RECORDED IN VOLUME 3092, PAGE 1181 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND DESCRIBED IN VOLUME 6058, PAGE 898 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron pin found in the South r.o.w. line of vacated Waterfront Street, being at the Southwest corner of said tract described in Volume 6058, Page 898 for the Southwest corner and PLACE OF BEGINNING hereof;

THENCE along the West line of said tract described in Volume 6058, Page 898, N 22°44'00" E for a distance of 20.00 feet to a 1/2 inch capped iron pin set at the Northwest corner of said tract, being in the centerline of said vacated Waterfront Street, for the Northwest corner hereof;

THENCE along the centerline of said vacated Waterfront Street, S 66°47'37" E for a distance of 92.53 feet to a 1/2 inch iron pin found in the West r.o.w. line of Interstate Highway No. 35 for the Northeast corner hereof;

THENCE along the West r.o.w. line of Interstate Highway No. 35, S 09°23'10" E for a distance of 23.61 feet to a 1/2 inch iron pin found at the Southeast corner of said tract described in Volume 6058, Page 898, being in the South r.o.w. line of vacated Waterfront Street, for the Southeast corner hereof;

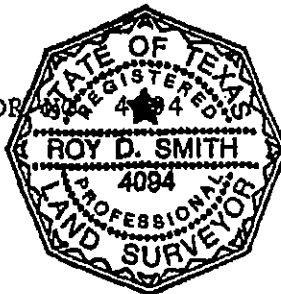
THENCE along the South r.o.w. line of vacated Waterfront Street, N 66°51'07" W for a distance of 105.09 feet to the PLACE OF BEGINNING and containing 1971 square feet of land, more or less.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR
July 21, 1999

Job No. 2262



TRACT 1: 13,629 SQUARE FEET OF LAND, BEING A PORTION OF OUTLOT 71, DIVISION "O" OF THE GOVERNMENT OUTLOT ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS.

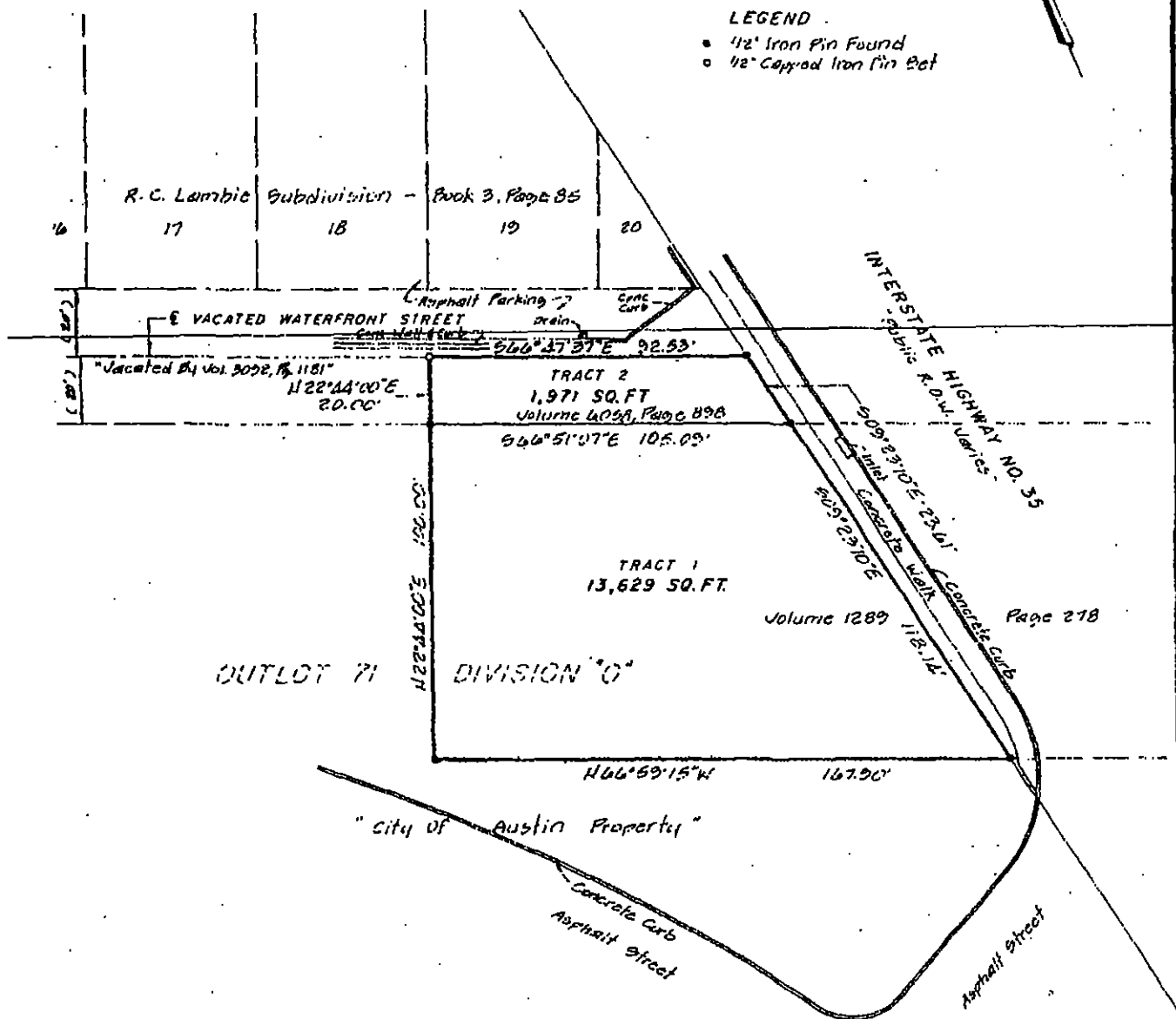
TRACT 2: 1,971 SQUARE FEET OF LAND, BEING A PORTION OF THAT CERTAIN VACATED WATERFRONT STREET, A STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON PLAT OF R.C. LAMBIE SUBDIVISION IN TRAVIS COUNTY, TEXAS, AS RECORDED IN BOOK 3, PAGE 85 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID STREET HAVING BEEN VACATED BY INSTRUMENT RECORDED IN VOLUME 3092, PAGE 1181, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

New

SCALE 1" = 30'

LEGEND

- 1/2" Iron Pin Found
- 1/2" Copied Iron Pin Set



For: Juan Creixell, and/or assigns,
Marlene D. Hall and
Fidelity National Title Insurance Company

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct and that there are no visible discrepancies, deed line conflicts, encroachments, overlappings of improvements, visible utility easements or roadways, except as shown hereon and that said property has frontage on a public roadway, except as shown hereon.

SURVEYED BY
ROY D. SMITH SURVEYORS, P.C.

Roy D. Smith
ROY D. SMITH

Registered Professional Surveyor
1214 West 5th Street
Austin, Texas 78703
Ph (512) 478-9921



To the Lien Holders and/or the owners of the premises surveyed:
A portion of the property described hereon is within the boundaries of the 100 Year Flood Plain as identified by the National Flood Insurance Program Flood Insurance Rate Map for Travis County, Texas, and Incorporated Areas, dated June 14, 1993.

